

In re of Appln. No. 09/155,676

REMARKS

Claims 13-16, 20-22, 30, 43-50, 52-60, and 62-79 presently appear in this application with claims 52-54 and 65-68 indicated as being allowed. The present communication is intended to supplement applicants' amendment of February 5, 2003

In a telephone conference of April 15, 2003, Examiner Epps advised the undersigned that claim 69 appeared to be broader than applicants' arguments in view of the fact that the analogs of fragments may include up to ten changes to the fragments, which could be a very substantial portion of the fragment. Accordingly, the present amendment now avoids this issue by amending claim 69 so as to have the analogs refer only to the sequences of paragraph a) and having the fragments refer to the sequences of a) or the analogs of b). Thus, the claim no longer reads on analogs of fragments, but it does read on fragments of analogs. Reference is made to the present specification as filed, for example, at page 19, lines 21-24 (paragraph 67 of the substitute specification), which refers to biologically active TRAF-binding proteins "as well as analogs, fragments and derivatives thereof." As "fragments" follows "analog", it is apparent that applicants considered fragments of analogs to be part of the invention.

New claim 72 has now also been added amending claim 69 to specify that in paragraph c) the fragment is a fragment of a).

New claims 73-75 have now also been added specifying that the analog has no more than five changes, no more than three changes or no more than one change, as is supported by the last paragraph on

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page 21 as originally filed (paragraph 73 of the substitute specification). The one amino acid residue change is supported at page 19, line 27, of the specification as originally filed (paragraph 67 of the substitute specification (page 35, lines 4-5)).

New claims 76-79 are DNA claims corresponding in scope to new claims 72-75.

It is assumed that all of applicants' amendment of March 20, 2002, applicants supplemental amendment of April 17, 2002, applicants second supplemental amendment of May 10, 2002, and applicants' third supplemental amendment of July 10, 2002, were all entered once the official action of September 5, 2002, was issued withdrawing the finality of the previous Office Action. The wording of the claims set forth in the present amendment is based on this assumption.

Consideration of the present supplemental amendment in conjunction with applicants' amendment of February 5, 2003, reconsideration and withdrawal of the rejections of record, allowance of all claims, and institution of an interference as previously requested, are earnestly solicited.

Respectfully submitted,

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